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16 Attorneys for Defendant
17 CROWN EQUIPMENT CORPORATION

18 UNITED STATES DISTRICT COURT
19 NORTHERN DISTRICT OF CALIFORNIA
20 SAN FRANCISCO DIVISION

21 JESSE HOUGHTAILING,
22 Plaintiff,

23 v.

24 CROWN EQUIPMENT CORPORATION.,
25 and DOES 1 TO 100, inclusive,
26 Defendants.

CASE NO. 311-cv-05040-TEH
Judge: Hon. Thelton E. Henderson

**STIPULATION AND ~~[PROPOSED]~~
ORDER TO CONTINUE FURTHER
CASE MANAGEMENT CONFERENCE;
~~[PROPOSED]~~ ORDER GRANTING
CONTINUANCE**

Action Filed: August 3, 2011
Removal Filed: October 13, 2011
Trial Date: None Set

1 TO THIS HONORABLE COURT:

2 Plaintiff Jesse Houghtailing (hereinafter "Plaintiff"), by and through his counsel, and
3 Defendant Crown Equipment Corporation ("Defendant"), by and through its counsel, do hereby
4 agree, stipulate, and respectfully request as follows:

5 1. WHEREAS, the further case management conference in this case is currently
6 scheduled for Monday, April 30, 2012 at 1:30 p.m., before the Court;

7 2. WHEREAS, Defendant subpoenaed third-party records on or about March 2, 2012
8 for production on March 16, 2012;

9 3. WHEREAS, Defendant has not received the entirety of the subpoenaed documents
10 to date;

11 4. WHEREAS review of the subpoenaed documents is necessary for Defendant to
12 supplement its initial disclosures and prepare for the deposition of Plaintiff;

13 4. WHEREAS Plaintiff and his counsel have another case before this Court, Jesse
14 Houghtailing v. Frito-Lay North America, Inc., et al., Case Number 311-cv-05062-TEH, and the
15 further case management conference for that matter is also currently scheduled for April 30, 2012
16 at 1:30 p.m.; and

17 5. WHEREAS, Defendant understands that the parties in Case Number 311-cv-
18 05062-TEH have agreed and Defendant Frito-Lay North America, Inc. has noticed Plaintiff's
19 deposition for May 10, 2012;

20 6. WHEREAS, Defendant understands that the parties in Case Number 311-cv-
21 05062-TEH have also requested a continuance of the April 30, 2012 further case management;

22 7. WHEREAS Defendant also agrees to a continuance of that further case
23 management conference because it has discovery that is currently outstanding; and

24 8. WHEREAS Defendant believes it would be efficient for both conferences to be
25 heard on the same day;

26 9. THE PARTIES HEREBY STIPULATE AND REQUEST that, subject to the
27 Court's availability and approval, the currently scheduled further case management conference be

1 continued from April 30, 2012 until June 11, 2012. The parties are also available for a further
2 case management conference on June 4, 2012.

3 IT IS SO STIPULATED.
4

5 Dated: April 9, 2012

DuCHARME & COHEN

6
7 By _____/s/
8 JAMES A. DuCHARME
9 Attorneys for Plaintiff
JESSE HOUGHTAILING

10 Dated: April 9, 2012

KRIEG, KELLER, SLOAN, REILLEY & ROMAN LLP

11
12 By _____/s/
13 MICHAEL D. LISI
14 Attorneys for Defendant
CROWN EQUIPMENT CORPORATION

15 I hereby attest that I have been authorized by James A. DuCharme to execute on his behalf
16 this Stipulation and [Proposed] Order to Continue Case Management Conference.

17 Executed on this 9th day of April, 2012 at San Francisco, California.

18 Dated: April 10, 2012

KRIEG, KELLER, SLOAN, REILLEY & ROMAN LLP

19
20 By: _____/s/_____
21 MICHAEL D. LISI
22 Attorneys for Defendant
23 CROWN EQUIPMENT CORPORATION
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~~PROPOSED~~ ORDER

Having considered the foregoing stipulation of the parties, the Court orders the further case management conference in the instant matter, Jesse Houghtailing v. Crown Equipment Corp., Case Number 311-cv-05040-TEH, continued to June 11, 2012, at 1:30 p.m. in Courtroom 12. The parties shall file a joint case management conference statement on or before June 4, 2012.

IT IS SO ORDERED.

Dated: 04/10, 2012

